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DIPE JC109 321  
DEC 15 2003  
PATENT & TRADEMARK

**TRANSMITTAL LETTER**  
**(General - Patent Pending)**

Docket No.  
**14553**

In Re Application of: **Hisayoshi Usui**

Serial No.  
**09/839,096**

Filing Date  
**April 20, 2001**

Examiner  
**Kiet T. Le**

Group Art Unit  
**2683**

Title: **MOBILE TELEPHONE SYSTEM CAPABLE OF EFFICIENTLY UTILIZING GPS INFORMATION  
EVEN IF DIRECT RECEPTION BY A MOBILE TELEPHONE APPARATUS IS DIFFICULT**

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TO THE COMMISSIONER FOR PATENTS:

DEC 17 2003

Technology Center 2600

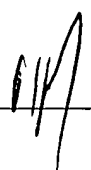
Transmitted herewith is:

**Response to Requirement for Restriction**

in the above identified application.

- ☒ No additional fee is required.
- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. \_\_\_\_\_ as described below.
  - ☐ Charge the amount of \_\_\_\_\_
  - ☐ Credit any overpayment.
  - ☒ Charge any additional fee required.

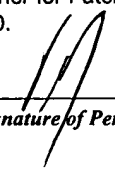
**19-1013 SSMP**



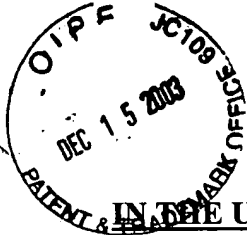
*Signature*

Dated: **DECEMBER 11, 2003**

**Paul J. Esatto, Jr., Reg. No. 30,749**  
**Customer No. 23389**

I certify that this document and fee is being deposited on <b>12/11/03</b> with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
 <i>Signature of Person Mailing Correspondence</i>
<b>Paul J. Esatto, Jr.</b> <i>Typed or Printed Name of Person Mailing Correspondence</i>

cc:



#8  
AIA  
12/19/03

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant:** Hisayoshi Usui

**Examiner:** Kiet T. Le

**Serial No:** 09/839,096

**Art Unit:** 2683

**Filed:** April 20, 2001

**Docket:** 14553

**For:** MOBILE TELEPHONE SYSTEM  
CAPABLE OF EFFICIENTLY  
UTILIZING GPS INFORMATION  
EVEN IF DIRECT RECEPTION BY A  
MOBILE TELEPHONE APPARATUS  
IS DIFFICULT

**Dated:** Dec. 11, 2003

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Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO REQUIREMENT FOR RESTRICTION**

Sir:

Pursuant to the Restriction Requirement imposed in the Official Action dated November 13, 2003, applicant provisionally elects the claims of Group I, i.e., Claims 1-7, for continued prosecution herein.

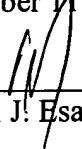
Claims 1-15 are present in the above-captioned application and have been subjected to restriction under 35 U.S.C. §121. Specifically, the Official Action avers that the following inventions are present in the claims:

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on December 11, 2003.

Dated: December 11, 2003

  
\_\_\_\_\_  
Paul J. Esatto, Jr.

Group I, Claims 1-7, related to using position information from a mobile telephone base station instead of the position data of the mobile telephone apparatus;

Group II, Claims 8-12, related to using external position data of an external GPS unit instead of the position data of the mobile telephone apparatus; and

Group III, Claims 13-15 related to using previous data obtained last as the position data of the mobile telephone apparatus.

It is the Examiner's position that the inventions listed as Groups I II, and III are distinct from each other.

In response to the Examiner's requirement for restriction, applicant provisionally elects to prosecute the subject matter of Group I, Claims 1-7. However, applicant reserves the right under 35 U.S.C. §121 to file one or more divisional applications directed to the non-elected claims in this application.

In view of the foregoing, an examination on the merits of the elected claims, at an early date, is earnestly solicited.

Respectfully submitted,



Paul J. Esatto, Jr.  
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